


DEC 30 2009

JOHN F. CONGRIAN, CLERK
BY: 
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DAVID F. SPRINKLE,

Plaintiff,

v.

EARL BARKSDALE, ET AL.,

Defendants.

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)
)
) Case No. 7:08CV00430
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)

FINAL ORDER

) By: Glen E. Conrad
) United States District Judge
)

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

that the motion for summary judgment filed by Defendants Cypress and Downes is **GRANTED**; all claims against Defendant Hardy are **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim; and the action is hereby stricken from the active docket of the court.

ENTER: This 30th day of December, 2009.



United States District Judge